STAND. COM. REP. NO. 629

Honolulu, Hawaii

MAR - 5 2015

RE: S.B. No. 1115

S.D. 1

Honorable Donna Mercado Kim President of the Senate Twenty-Eighth State Legislature Regular Session of 2015 State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 1115, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BUILDING DESIGN FOR PERSONS WITH DISABILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of "public buildings, facilities, and sites" under section 103-50, Hawaii Revised Statutes (HRS), to, among other things, exempt from mandatory review by the Disability and Communication Access Board certain construction projects constructed on state or county lands that would not ordinarily be open to public access.

Your Committee did not receive testimony on this measure.

Your Committee finds that section 103-50, HRS, is not intended to require certain private entities operating upon state or county lands to be held to the compliance standards of the Americans with Disabilities Act or to submit building plans for review by the Disability and Communication Access Board. Farm buildings constructed upon state agricultural land and private homes constructed upon a Hawaiian homestead plot are examples of buildings that were not intended to be regulated under section 103-50, HRS, but could arguably fall under the Disability and Communication Access Board's purview according to existing statutory language. This measure intends to align statutory language with the actual procedures and practices that the

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Disability and Communication Access Board implements in carrying out its responsibilities over building plan reviews.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1115, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

GILBERT S.C. KEITH-AGAKAN, Chair

The Senate Twenty-Eighth Legislature State of Hawai'i

Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:		Da	Date: /	
SB1115 SDI	GVO, JDL		·	2/24/	15
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)		V			
SHIMABUKURO, Maile S.L. (VC)		~			
ESPERO, Will		V			_
GABBARD, Mike		V			
IHARA, Jr., Les		~			
THIELEN, Laura H.		~			
SLOM, Sam					
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TOTAL		6			/
Recommendation:					<u> </u>
Adopted			Not Adopted		
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod					
File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

*Only one measure per Record of Votes